



# **ALABAMA BOARD OF FUNERAL SERVICES**

## ***Special Called Meeting Minutes***

**June 7, 2023**

### **Prior Notice**

Prior notice of the June 7, 2023 special called board meeting was posted on the Secretary of State website May 31, 2023 and the information was distributed via the Board's website on May 31, 2023. The meeting was held at 10:00 AM in the Board's office located at 4276 Lomac Street, Montgomery, Alabama.

### **Pledge of Allegiance and Invocation**

Mr. Williams asked everyone in attendance to stand and recite the Pledge of Allegiance to the American flag which was followed by an invocation offered by Mr. Burt.

### **Call to Order**

#### **Roll Call of the Board**

Mr. Williams, Chair, asked Mrs. Grogan for a roll call to establish a quorum. The following members were present: Kenneth Bishop, Jr., Terry Sorrells, J. Douglas Williams, Karen Jones Smith, Byronda Collins, Rachel Arrington, Bobby Burt, and Sandra Hill.

Staff present; Charles Perine, Executive Director, and E. Denise Grogan, Associate Executive Director, recording, Brenton Smith, Legal Counsel.

The following member was absent: Lance Brooks

#### **Welcome/Remarks by the Chair**

With a quorum established, Mr. Williams excused Mr. Brooks' absence and called to order the special called meeting. Mr. Williams welcomed all present.

#### **Conflict of Interest/Motion to set the agenda**

Mr. Williams requested that the board members review the agenda. Mr. Williams asked if any member had a conflict of interest for any items on the agenda, being none, Mr. Sorrells made a motion, seconded by Mrs. Jones Smith to set the agenda as presented. Being no discussion, the motion passed unanimously.

### **Business**

#### **Organizational Chart**

Mr. Perine stated with the passage of SB131 the Board would be renamed the Alabama Board of Funeral Services and would consist of two (2) divisions, the Funeral Division, and the Preneed Division. The current board would represent the funeral division and the preneed division would be represented by five (5) new members when appointed. Mr. Perine stated the Department of Insurance would turn over the regulation of preneed to the Alabama Board of Funeral Services effective October 1, 2023. With the creation of the preneed division the Board's staff would need to increase immediately with the hiring of an attorney, a staff accountant, and an associate executive director for the preneed division. Mr. Perine stated that the three professional members of the hiring committee own an establishment that holds a certificate of authority (COA), or licensed as a preneed sales agent, or their cemetery holds a COA, in

addition to one consumer member. Mr. Perine stated job announcement for the associate executive director position went out to all licensees via email and was posted on the Board's website on May 15, 2023.

#### Hiring committee members

J. Douglas Williams - COA holder, cemetery COA holder

Byronda Collins – COA holder, preneed sales agent

Karen Jones-Smith – preneed sales agent, COA holder, cemetery COA holder

Bobby Burt – consumer member

#### **Attorney**

Mr. Perine stated the Board's current legal counsel Mr. Brenton Smith was offered the position as full-time legal counsel but had declined. Mr. Michael Ward was interviewed by the hiring committee. Mr. Ward was presented to the board by the hiring committee. He was allowed to address the Board and answer questions from the Board. An offer of employment was extended to Mr. Ward who requested additional time to ensure this was the best move for him going from a classified position to an unclassified position. Mr. Sorrells made a motion, seconded by Ms. Arrington to table the hiring of Mr. Ward until the July board meeting. The motion passed unanimously.

#### **Associate Executive Director**

Mr. Perine stated the hiring committee interviewed four individuals for the Associate Executive Director position. He stated the position was unclassified with pay to be set by the Board and approved by state personnel and finance director. Ms. Laura Sullivan was interviewed by the hiring committee. Ms. Sullivan was presented to the board by the hiring committee. She was allowed to address the Board and answer questions from the Board. An offer of employment was extended to Ms. Sullivan and accepted. Mrs. Jones Smith made a motion, seconded by Mr. Sorrells to hire Laura Sullivan as an Associate Executive Director with a starting salary of \$75,000.00. The motion passed unanimously.

#### **Staff Accountant**

Mr. Perine stated the hiring committee interviewed four individuals for the staff accountant position. He stated the hiring committee did not have any recommendations at this time.

#### **Licensing/Regulatory Compliance Supervisor**

Mr. Perine stated the classified position of licensing/regulatory compliance supervisor and licensing/regulatory compliance officers would not be filled until the funding mechanism for preneed was determined or other budgetary means become available. Mr. Perine stated the part-time inspector was offered to become full-time but declined. Mr. Perine stated he offered to take on additional duties if he could remain part time. Mr. Perine requested his salary be increased from \$16,000 to \$25,000 annually with increased duties. Mr. Sorrells made the motion, seconded by Mrs. Collins. The motion passed unanimously.

#### **Current Employees**

Mr. Perine stated the current employees would be moved from exempt positions to unclassified positions at the request of state personnel and needed to be assigned to a pay range. He stated the Board previously voted to follow state personnel policies regarding employee's accrual of leave. Mr. Perine stated the last

merit raises the current employees received was in 2020, he did state that cost of living raises were approved by the Governor in 2021, 2022, and 2023. After discussions:

Mrs. Collins made a motion, seconded by Mrs. Jones Smith to place Mrs. Grogan in pay range 79 with a 2-step increase of 5%. The motion passed unanimously.

Mr. Burt made a motion, seconded by Ms. Arrington to place Mrs. Dawson in pay range in accordance with 36-26-10 (ASA I) with a 2-step increase of 5%. The motion passed unanimously.

Mr. Sorrells made a motion, seconded by Ms. Arrington to place Mr. Perine in pay range 83 with a 2-step increase of 5%. The motion passed unanimously.

Mr. Perine stated in 1990 the Board voted to follow the personnel board's policy for leave and the current employees had accrued leave in accordance with those policies and in 2014 the Board approved the accrual of compensatory time in accordance with state personnel policies. Mr. Perine stated he kept those records which were audited by Examiners of Public accounts. Mr. Perine stated that he and Mrs. Grogan had accrued compensatory time due to excess time spent on state business which remained unused. Mr. Perine stated, that as an agency director or assistance director compensatory time could not be accrued as an unclassified employee. Mr. Perine stated, that he would be forfeiting his accrued compensatory time and no additional compensatory time could be accrued by himself or any associate director. After discussion, Mr. Burt made a motion seconded by Mr. Sorrells to allow Mrs. Grogan to use her accrued compensatory time. The motion passed unanimously.

### **Budget**

Mr. Perine stated the Boards' current budget request was \$536,000.00 and after the preneed bill passed a supplemental of \$400,000.00 was requested for the current budget. Mr. Perine stated this gives the Board the spending authority to use the \$300,000.00 that would be transferred from DOI and the additional \$100,000.00 requested from the Board's reserve. He stated this would increase next year's budget to \$936,000.00.

### **Executive Session**

Ms. Arrington made a motion seconded by Mrs. Collins to go into Executive Session for 30 minutes to discuss the good name and character of potential licensee(s) and/or current licensee(s). The motion passed unanimously. All in attendance were asked to leave the Boardroom at 11:30 AM to allow the Board to discuss the good and name and character of potential licensee(s) and/or current licensee(s). Those in attendance and were informed that the regular business meeting would resume at the conclusion of executive session. After all parties were called back into the room, Mr. Williams called the meeting back to order at 11:52 AM. Mr. Burt made a motion, seconded by Mrs. Jones Smith to go back into Executive Session for an additional 30 minutes to continue to discuss the good name and character of potential licensee(s) and/or current licensee(s). The motion passed unanimously. All in attendance were asked to leave the Boardroom at 11:53 AM to allow the Board to discuss the good and name and character of potential licensee(s) and/or current licensee(s). Those in attendance and were informed that the regular business meeting would resume at the conclusion of executive session. Mr. Williams called the Board meeting back to order at 12:22 PM. Mrs. Collins made a motion, seconded by Mrs. Jones Smith to approve the reciprocal funeral director and embalmer license applications of Norman Cason, III with five (5) years' probation. Cason must successfully pass the state law exam and report any encounters with law enforcement during the probationary period. Being no discussion, the motion passed unanimously.

Yes Votes: Mr. Bishop, Mr. Sorrells, Mr. Williams, Mrs. Jones Smith, Mrs. Collins, Ms. Arrington, Mr. Burt, and Mrs. Hill

Nay votes: None

Abstain: None

Absent: Mr. Brooks

### **Other Business**

#### **Questions, Comments, Concerns**

Mr. Williams ask if there were any questions from the participants, being no questions Mr. Perine moved to the next item on the agenda.

#### **Adjournment**

Mr. Williams asked for any questions from those in attendance. Mr. Burt made a motion, seconded by Mr. Bishop to adjourn the meeting, and reconvene on July 11, 2023 at 10:00 AM. The motion passed unanimously. The meeting adjourned at 12:23 PM.

Minutes submitted by: E. Denise Grogan.

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J. Douglas Williams, Chair

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Charles M. Perine, Executive Director